

THE BLOOMFIELD CITIZEN.

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THE WATER REPORT

CRITICISED BY COUNCILMAN CHARLES J. MURRAY.

Illegal Items Included in the Report. Water Department Ordinance Ignored—People Made to Pay Twice for Water Used for Public Purposes.

At the meeting of the Town Council on Monday night Councilman Charles J. Murray, chairman of the auditing committee, brought up for discussion Auditor L. M. Plisk's report of the audit of the water department accounts. Mr. Murray severely criticised the report, and concluded with a motion to reject it. His motion did not prevail, but the matter was laid over for further consideration next Monday night, when Mr. Plisk is expected to be present and explain matters in the report. Mr. Murray's comments on the report were in part as follows:

"Mr. Chairman: On September 17th a resolution passed the Council to have the accounts of the water department audited by the official town auditor from the time of the town taking over the plant to the present time. This was not referred to the auditing committee. A few days after this, as chairman of the auditing committee, I wrote to Mr. Plisk, the auditor, requesting him to call and see me. He did so, and I explained to him the resolution as passed by the Council. In the course of our conversation he stated that he had received a letter from the chairman of the water committee, which he supposed related to the same subject. He took occasion to ask me to whom he should hand the report when ready. I told him that inasmuch as the auditing committee had been ignored, I thought it would be proper to hand it to the Council through its representative, the town clerk. On November 2 a special meeting of the Council was called to consider matters pertaining to the water department. While the Council was in session Mr. Plisk appeared and handed the report to the chairman of the water committee, who then read portions of it to the Council. A persistent effort was made at the meeting to have the report printed, without giving the members of the Council an opportunity to examine it. A motion prevailed, however, to defer the printing until after November 16, and in the meantime the auditor would furnish the members with a copy. Notwithstanding the resolution, a synopsis of the report appeared the following day in the public press, without any regard for the truth or correctness of the statement.

"That it is not true, and is an incorrect statement of the condition of the water department, I will prove, Mr. Chairman, and also convince you of the fact. If you will turn to Exhibit A of the report, the balance sheet, which contains all the results in concrete form, you will find charged against the town as estimated cost of water supplied for town purposes, as per Exhibit C, an item of \$13,130.10, and included in the assets of the water department. Now if you will turn to Exhibit D you will find this item to be made up of the following: Fire hydrants, \$5,480; public buildings, \$4,363.10; and flushing sewer connections, \$327. Right here lies the monumental blunder. I find from the official record of the fire department that the department was on duty, during the whole period, 67 hours. This means from the time of leaving the fire house until their return. I will ask our clerk to refer to our water ordinance, and tell me the charge for the use of a fire hydrant.

"Mr. Chairman, you or I, in fact, any individual, may have the use of a hydrant, taking all the water it will give, at a rate of \$4 per year. Assuming that the department was using the hydrant for the full 67 hours, and also assuming that the three hose companies were attached, the cost of water used by the fire department would amount to \$804. In other words, for what would cost a private individual \$804 the town is charged \$8,480. It is unnecessary to refer to the cost of water supplied public buildings, flushing sewers, etc. I will now show you that there is no authority for placing this burden of \$13,130.10 against the town. It is illegal, has no existence, can have no existence. Mr. Clerk, kindly read for us section 3 of the water ordinance. (See section.) You will therefore perceive that the charge for all the water has already been provided for, and is paid for by every consumer of water when he pays his water bill.

"Under the heading of accounts receivable, the only comment I have to make is a reference to the item of \$9,111.43, due from consumers for three months to October 1. This appears to be large, but I make no criticism of it, since I know nothing to the contrary, not having had the time to inquire into details."

Councilman Green, chairman of the water committee, undertook to defend

the report, particularly that part of it in which the auditor charged the town for water used for fire purposes. He contended that the Orange Water Company charged the town \$50 per annum per hydrant, and the auditor had only charged twenty dollars per annum per hydrant.

Mr. Murray again contended that the auditor had no business to make any charge for water used for public purposes. The ordinance had provided for that, and the people who pay their water rates paid for all the water used for every purpose, and they could not legally be made to pay it over again.

The town attorney fully sustained Mr. Murray's statement.

Mr. Murray endeavored to find out who had instructed the auditor to put the charges for water used for public purposes in the report.

Mr. Green disclaimed all responsibility for anything in the report.

Mr. Green, in the course of his remarks, said that no kind of a report would suit some people, except one that showed that the water department was being run at a loss. He charged that politics was back of the opposition to the water department report.

Mr. Murray quickly resented the imputation, and said that all that was wanted was an honest report giving the facts, and as yet such a report had not been forthcoming.

The Banauk Case.

By a decision of the Court of Errors and Appeals Monday the conviction of Frank Banauk of this town for murder was affirmed, and unless further legal technicalities interfere Banauk will be hanged. The case was brought up on error to the Essex Court of Oyer and Terminer. The entire record of the proceedings of the trial were taken upon the writ of error.

The first reason advanced on behalf of the defendant for setting aside the conviction under review is that the trial court erred in permitting the State to prove by the bartender the instructions given him by the defendant as to diluting his liquor, as it was too remote to have any bearing on the matter. The Errors Court does not take that view of the case because of the fact that the motive which induced Banauk to take Hoff's life was his illicit love for the latter's wife.

The court also holds that for the purpose of condemning his murderous plan Banauk conceived the idea of reducing Hoff to such a condition of intoxication as to render him incapable of resisting an attack upon him. Another ground upon which the defendant's attorney argued for the setting aside of the conviction was that the written confession was improperly admitted in evidence and was not proven. The court does not take this view of the matter, nor does it to the argument advanced that the confession was extorted by threat.

The question of intent to kill, the definition of which by the trial court was taken exception to by the defendant's attorneys, was argued by the Errors Court, which held that upon the legal accuracy of the charge it is not permitted to extract a single sentence, but must be construed as a whole.

Needlework Guild.

The Bloomfield Branch of the Needlework Guild of America at its annual meeting, held at the home of Mrs. Theodore H. Ward in Park place Wednesday afternoon received over 500 garments for distribution among the poor. They will be sent to the Home for Crippled Children, Home for Incurable and Job Haines, Home of Newark; Hampton Institute, Virginia; the Virginia Day Nursery and Miss Hardcastle's school in New York. The local poor will also be looked after. Officers were elected as follows: President, Mrs. Theodore H. Ward; vice-presidents, Mrs. Ann D. Dodd, Frederick Langstroth and Mrs. John M. Van Winkle; secretary and treasurer, Miss Jessie O. Dalrymple.

Berkley School Club.

The first public meeting this year of the Berkley School Parents' Organization will be held on Monday evening, November 26 in the assembly room of the Berkley School at 8 o'clock. Dr. Jesse L. Hurbut will deliver an address entitled "The Life of the Child." A chorus of children from Grades VI, VII and VIII of the school will sing, and there will be a song by a number of small boys dressed in Japanese costumes. Every one who is interested in the Berkley School is cordially invited to be present, but children unaccompanied by adults will not be admitted.

Frederick's Newark Theatre.

A splendid bill of pleasing variety will be offered by Mr. Proctor to the patrons of his pretty playhouse at Newark during the week of November 26. Mary Dupont and company in their great laughing hit entitled "Loft at the Post" is the leading attraction. Miss Dupont is an actress of recognized ability, and doubtless will make many friends on her initial vaudeville appearance in Newark. An act of special interest to the little folks will be Clara Bean's acts in a remarkable exhibition of feline intelligence.

NEARING THE COURTS.

Judicial Determination in the Water Department Controversy May Be Sought—The Attempt to Make the Town Pay Twice for Water for Public Purposes a Serious Issue—The Power of the Council to Make Contracts for Water Main Extension Will Be Attacked in Court.

The controversy over water department profits is nearing a point where it is likely to be carried to court. Councilman Charles J. Murray and Councilman Jesse C. Green are the leaders of the respective opposing sides in the controversy. Mr. Murray has had an advantage in the controversy in so far as the merits of the issue are concerned, in that he has had the able, active and intelligent support of his colleagues, Messrs. Farrand and Davis. In the presentation of his side of the case Mr. Green has been alone. His colleagues have said nothing, although it is stated that on one occasion, when the debate waxed warm and Mr. Green was being cruelly grilled, Mr. Chabot jumped up in a state of great excitement and declared that Mr. Green was right. He said he believed in him and was going to stand by him. Mr. Chabot's declaration of loyalty is about all the popular support that Mr. Green has received in the long-drawn-out fight. But Mr. Chabot has made good his support in a more substantial way, as he has voted steadily with Mr. Green, as has also Mr. Hepburn. This standpoint action of Mr. Green's colleagues was undoubtedly based in a firm belief that Mr. Green was telling the truth when he insisted that the water department was making a sufficient profit to pay the cost of a water main extension project involving several thousand dollars.

As long as the belief existed that the water department profits claimed by Mr. Green were true, there was perhaps some justification for the "say nothing but vote" policy pursued by the colleagues of the chairman of the water committee, but on Monday night Mr. Green abandoned his former position and boldly declared that he did not care if the water department was not making a cent, he was going to vote for the contracts for the water main extension anyway. It is not likely that a majority of the members of the Council are going to lay themselves amenable to the law by going with Mr. Green to the extreme that he has declared himself willing to go. But his declaration of his intention to go to the extreme of his contention could have been met from water department profits, and his declaration that he is going to assume those obligations even if the water department is not making a cent, will put the loyalty of his colleagues to a severe test. Will they stand by him to a defiance of the law?

But the matter of the contract is not the only phase of this water department controversy that is likely to bring the Councilmen into court. The attempt to filch from the town treasury in violation of a town ordinance the sum of \$287 for the purpose of fictitiously bolstering up the profits of the water department is a serious matter, and Councilman Murray has declared that if the \$287 is ordered paid he will carry the issue further than the Council. That is a direct intimation that the prolonged controversy is nearing the courts.

MORNING WORSHIP.

Organ Prelude.
Invocation and Lord's Prayer.
Responsive Lesson and Prayer.
The Apostles' Creed.
Gloria Patri.
New Testament Reading I Chronicles 16.
Jubilate Deo.
Hymn 1147.
New Testament Reading, Ephesians 5.
Antiphon, "Ye Shall Dwell in the Land."
Prayer.
Announcements.
While the Earth Remains.
Hymn 1128.
Sermon, "What Paul Gave Thanks For."
Hymn 1123.
Antiphon, "Let the People Praise Thee."
Benediction (Chanted by the choir).
EVENING WORSHIP.

Organ Prelude.
Call to Worship.
Hymn 109.
The Beatitudes (In concert).
Gloria Patri.
Jubilate Deo.
Scripture Lesson.
Antiphon, "Praise the Lord, O My Soul."
Smallwood.

Prayer of Thanksgiving (All the congregation joining).
Almighty God, Father of all mercies, we thank Thee for Thy goodness and all Thy loving-kindness to us and to all men. We bless Thee for Thy grace, preservation and all the blessings of this life, but above all, for Thy inestimable love in the redemption of the world by our Lord Jesus Christ; for the means by which Thou hast given us Thy grace and Thy Holy Spirit, and for all Thy goodness and Thy loving-kindness to us and to all men. We pray for Thy grace and Thy Holy Spirit, and for all Thy goodness and Thy loving-kindness to us and to all men. Amen.

The Lord's Prayer.

Antiphon, "While the Earth Remains."
Announcements.
Offertory Anthem, "The Lord is Exalted." West.
Prayer.
Hymn 124.
Address by the Pastor.
Hymn 125.
Antiphon, "Let the People Praise Thee."
Benediction (Chanted by the choir).

A Word of Appreciation.

SIR—As a constant reader of the CITIZEN and a frequent attendant of the Westminster Church of our town, I desire to express herewith publicly my sincere regret that Dr. Paul leaves our town. Occasionally I was able to hear one of the exceptionally able discourses of Dr. Paul. His sermons were always of a high order, and he had a deep insight into the truths of the Holy Spirit. His sermons often gave me a new insight into the Scriptures and were always helpful. Every time that I heard Dr. Paul I went away with the resolve of serving the Master more conscientiously and ardently. I sincerely hope that Dr. Paul will soon find a sphere of service in keeping with his special gifts.

Yours very truly,

HENRY J. WISER.

CHURCH NOTES.

Hugh Black will preach in Montclair Congregational Church tomorrow—Union Thanksgiving Service in Westminster Church Thursday—Special Services in Glen Ridge Church to-morrow.

Rev. Hugh Black will preach in the First Congregational Church to-morrow morning at 10:30 o'clock, and also on the two succeeding Sundays. He was born in Rothesay, Scotland, in 1868. He was educated at Rothesay Academy, Glasgow University and the Free Church College in Glasgow. He was ordained in 1891. His first pastorate was in Palestine. In 1896 he was called to the pastorate of St. George's Free Church, Edinburgh, where, because of his eminently successful work he came to be known as the foremost preacher in Scotland. He is now Professor of Practical Theology at Union Theological Seminary. He will devote one-half of his time to teaching in the seminary, and will spend the other half in preaching to the colleges and churches of our country. He is the author of several books. His latest book which has just been issued is a volume of his Edinburgh sermons, and bears the title "Litanies to God." Mr. Black's sermons are earnest, practical, appealing. They analyze motive and expose temptation and unfold religion as it touches life. Ample provision will be made for strangers who may wish to hear Mr. Black. All are cordially welcomed.

The Y. P. S. C. E. of the First Baptist Church will have for their subject a Thanksgiving topic "Praise and Humanity." The president called a special business meeting for this Tuesday to hear the report of the Constitution Revision Committee, the report of the new hymnal committee, and the selection of new hymns books, also the report of the Fresh Air Fund. All members are especially requested to be present.

A union Thanksgiving Day service will be held in the Westminster Presbyterian Church Thursday at 11 A. M., under the auspices of the Evangelical Union. The Rev. Dr. Jesse L. Hurbut of the Park M. E. Church will preach the sermon, and his subject will be "Will the American Republic Endure?"

The fifth article of the Creed "The Holy Catholic Church—the Communion of Saints," will be the subject of the sermon in Ascension Chapel to-morrow. At Westminster Church the pastor, Dr. Paul, will preach at 10:30 A. M. to-morrow morning. There will be no evening service.

Thanksgiving Sunday will be observed in the Glen Ridge Congregational Church to-morrow. The Rev. Elliott Wilbur Brown, D. D. will preach. The programme arranged is as follows:

MORNING WORSHIP.
Organ Prelude.
Invocation and Lord's Prayer.
Responsive Lesson and Prayer.
The Apostles' Creed.
Gloria Patri.
New Testament Reading I Chronicles 16.
Jubilate Deo.
Hymn 1147.
New Testament Reading, Ephesians 5.
Antiphon, "Ye Shall Dwell in the Land."
Prayer.
Announcements.
While the Earth Remains.
Hymn 1128.
Sermon, "What Paul Gave Thanks For."
Hymn 1123.
Antiphon, "Let the People Praise Thee."
Benediction (Chanted by the choir).
EVENING WORSHIP.

Organ Prelude.
Call to Worship.
Hymn 109.
The Beatitudes (In concert).
Gloria Patri.
Jubilate Deo.
Scripture Lesson.
Antiphon, "Praise the Lord, O My Soul."
Smallwood.

Prayer of Thanksgiving (All the congregation joining).
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Death of John Collins.

John Collins, one of the town's oldest citizens, died at his home 343 Broad street, Monday night, from a complication of diseases. He was born in the old Collins homestead near the paper mills, eighty-two years ago, and for fifty-five years had lived in the house where he died. For many years he was employed as master carpenter and boat builder for the Morris Canal and Banking Company, and built every bridge that crossed the canal between Easton, Pa., and Jersey City. Mr. Collins was a master carpenter at Oakes & Co.'s woolen mills. He remained there twenty-five years, retiring seven years ago.

Mr. Collins was a veteran of the civil war. He enlisted in the Twenty-sixth New Jersey Volunteers as a corporal on September 18, 1862, and was mustered out June 27, 1863. Mr. Collins was one of the oldest members of the First Presbyterian Church. Besides a widow he is survived by one daughter, Mrs. Jesse I. Taylor. The funeral was held from his late residence Thursday afternoon, with Rev. George L. Curtis officiating.

Found Unconscious.

Evelyn Lindsey, a domestic employed in a Glen Ridge family, was found unconscious on the Lindenmeyr property on the east side of Broad street at an early hour Monday morning. She was carried to the home of Hugo Pendorf, nearby, and the case reported to the police. Chief Collins sent Officer Edward Shorter to investigate the case and Dr. Shaul to attend the woman's injuries. The woman told contradictory stories about the affair, and no complaints have been made in the case and it is likely to be dropped.

Mortimer.

Benjamin Mortimer, an old resident of this town, died at the home of his son, Thomas Mortimer, 4 Spring street, on Monday morning, after several months' illness. Mr. Mortimer was born in England, and came to this country when quite young. Two sons, Thomas and Benjamin, survive him. Funeral services were held at the home of his son Thomas on Wednesday afternoon, with interment in the local cemetery.

Kealy.

Michael Kealy, fifty-two years old, died on Sunday morning of pneumonia at the Mountaineer Hospital. Mr. Kealy was formerly a resident of this town. Funeral services were conducted Tuesday morning from the residence of his sister, Mrs. Patrick Maher, 24 Central avenue, Montclair, and thence to the Church of the Immaculate Conception, where was celebrated a high requiem mass.

Memorial Service.

Bloomfield Lodge, B. F. O. E., will hold its annual memorial service in Central Hall on Sunday afternoon, December 2, when Samuel J. Macdonald of Newark will deliver the eulogy, and there will be a fine musical programme. The deceased members of last year are William F. Walker and Jacob G. Post. The committee in charge of the service consists of George Hammett, chairman; William A. Idle, John William Johnson, William A. Idle, John F. Dillon, Nicholas Duggan, August Steinbart and Harry G. Weeks.

Shubert Theatre.

Lena Ashwell, the celebrated English actress, who is being piloted through her first American tour by the Shuberts, will be the attraction during the week beginning Monday, November 26, at the Shubert Theatre, Newark. Miss Ashwell's play is to be "The Shulamite," a drama by Claude Anaw and Edward Knoblauch, which has been a sensational success in Paris, London and New York. The piece will be offered in Newark with the same company and accessories employed at the Lyric Theatre, New York.

Help the Hospital.

The annual donation day for the Hospital of the Poor of the town, located at 133 Little avenue, Newark, will occur on Monday, November 26, Thanksgiving week. A committee of ladies from the house visiting committee will be present to receive gifts and welcome visitors from 10 A. M. to 5 P. M.

Glen Ridge Post Office Election.

The special election held in Glen Ridge on Thursday to vote on the issue of retaining the present post office there or substituting free delivery from the Bloomfield post office resulted in an overwhelming vote in favor of the retention of the present office. Two ballot boxes were used, one for men and one for women. In the men's box 369 votes were cast, of which 314 were for retention and 55 for free delivery. The women cast 350 votes: 333 for retention and 17 for free delivery.

Church Notes.

Services in the Watessing M. E. Church to-morrow will be as follows: 10:30 A. M., preaching by the pastor, fourth sermon in the course on the subject of "The Church of the Future." Evening, fourth sermon in the series on "The Wayward Child." Subject: "Homeward Bound." A Thanksgiving Day service will be held in the Watessing M. E. Church at 10:30 A. M. Thursday. The official Thanksgiving proclamation of the President and the Governor will be read and the pastor will preach a Thanksgiving sermon.

AN IMPORTANT MEETING.

WILL BE HELD IN THE TOWN COUNCIL ROOM MONDAY NIGHT.

Fight over the Acceptance of the Water Report will be Renewed—Further Efforts will be Made to Stop the Illegal Charge for Water Used in Flushing Sewers—The Powers Salary Matter will Come up Again.

One of the most important Council meetings held in many years will take place Monday night, when the Council will hold an adjourned session. Any citizen desirous of information regarding the controversy over the water department profit question ought to be able to get it in full Monday night. Three important matters laid over from last Monday night will again come up for consideration at the adjourned meeting, and they all pertain to the water department.

The auditor who made the report on the financial state of the water department has been asked to be present and defend his report against the scathing criticism of its contents made by Councilman Charles J. Murray.

The chairman of the water committee, Councilman Green and his colleagues in the Council who have steadily voted with him, were able to cope with Mr. Murray Monday night, and Mr. Murray has challenged and invited the presence of the auditor in order that the report can be publicly analyzed and the sources of information from which it was compiled made public. The promised verbal duel between Councilman Murray and the auditor will be well worth hearing if it takes place.

Another water matter that will come up for action will be the bill to the amount of \$287 charged the town by the water department for water used in flushing sewers. Councilman Murray successfully combated payment of that bill last Monday night. He charged that it was only a "feeler" in the line of a resort to illegal methods for swelling the profits of the water department. If it had been paid it would in all probability have been followed by bills for water for fire hydrants amounting to \$8,000, and for water used for other public purposes. Once the issue of procedure was established it would have been easy to increase the charges to the town for water, and thus swell the receipts of the water department enormously.

Mr. Murray ruthlessly ripped the daring scheme Monday night and will attack it again next Monday night. The attempt to collect this bill if persisted in will bring result in the water department controversy being taken to court for a judicial definition of the provisions of the ordinance governing the water department.

A third water matter that is on the programme for Monday night is the increase in salary asked by Superintendent C. W. Powers of the water department. The discussion of this question is not whether or not the increase is merited, but it is believed to be a scheme to intrench Mr. Powers in his position before the incoming administration takes up the question of appointments. Here is a case where the chairman of the water committee is bringing politics into the administration of the water department.

Mr. Green is fully aware from his own personal part in the recent campaign that Mayor-elect Sutphen has good reason to hesitate over appointing Mr. Powers to a position of responsibility under the next administration. Mr. Green now proposes to turn a political trick and foist Mr. Powers on the next administration. Mr. Green declared Monday night that politics was behind the trouble over water department affairs. He amply proved such to be the case, but unintentionally placed the responsibility for it upon himself. It is obvious that an interesting programme has been arranged for Monday night, and the Council meeting will be well worth attending.

Christmas Praise Service.

Mr. A. Russ Patterson, organist of the Westminster Presbyterian Church is organizing the Westminster chorale and the first rehearsal took place last Tuesday evening. The cantata to be given for Christmas is the "Adoration," by Nevin. Mr. Patterson came from Minneapolis, Minn., three years ago, where he was organist of the First Presbyterian Church for six years; accompanist of the Appollo Club and teacher of piano and harmony in the Northwestern Conservatory. Since coming East he has made his home in New York city, where he has been studying, teaching and giving many musical programmes. He is teacher of piano and harmony in the Zelman Conservatory of New York and has his private studio at the Edgemere, No. 3 West 104th street. Mr. Patterson was organist of the Rose St. M. E. Church for two years before coming to Bloomfield. Mr. Patterson is arranging for a class here and can be reached by letter at the Westminster Church or at his New York address.